

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

KELLEY MURPHY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 23-1216-CFC/SRF
	)	
MARTIN O'MALLEY,	)	
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	
	)	
Defendant.	)	

**ORDER**

At Wilmington this 14<sup>th</sup> day of August 2024, having considered the Report and Recommendation by United States Magistrate Judge Sherry R. Fallon on July 30, 2024, and upon the expiration of the time allowed for objections pursuant to Rule 72 of the Federal Rules of Civil Procedure with no objections having been filed;

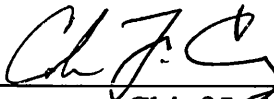
IT IS ORDERED that:

1. Magistrate Fallon's Report and Recommendation (D.I. 18) is  
ADOPTED.
2. Plaintiff's motion for summary judgment (D.I. 12) is GRANTED-IN-PART.

3. Defendant's motion for summary judgment (D.I. 15) is DENIED-IN-PART.

4. The ALJ's decision is remanded with the following instructions:

- a. The ALJ shall address the omission of Plaintiff's non-severe mental impairments in the RFC, namely, whether Plaintiff's non-severe mild mental impairments limit her ability to work as a data analyst or secretary, which are skilled positions; and
- b. Explain and clarify the correct AOD applicable to Plaintiff's decision and the disability period under consideration.

  
\_\_\_\_\_  
Chief Judge